

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL C. WARD,

Petitioner,

Case No. 2:19-cv-12543
Hon. Arthur J. Tarnow

v.

WILLIS CHAPMAN,

Respondent.

_____/

ORDER DENYING PETITIONER'S MOTION TO CLARIFY
(ECF NO. 66)

Petitioner Michael C. Ward's habeas case was closed following this Court's orders dismissing his petition, see ECF No. 30, and denying his motions for reconsideration and to amend his petition. ECF No. 54, 55. On September 28, 2020, the Court denied Petitioner's motion for reconsideration, ECF No. 60, and two supplemental pleadings, ECF Nos. 58, 64, which the Court construed as motions for leave to supplement the motion for reconsideration. See Order, ECF No. 65.

In that order, as it had since August 31, 2020, see Order, ECF No. 54, the Court directed Petitioner to file all future pleadings with the Sixth Circuit Court of Appeals. See ECF Nos. 54, 55, 65. It did so because Petitioner's

Notices of Appeal had divested it of jurisdiction. Order, ECF No. 65, PageID.1957-58.

Petitioner filed a Motion to Clarify on September 23, 2020; the motion also sought relief from judgment and additional fact-finding. ECF No. 66. Petitioner's motion was not received by the Court until October 2, 2020, after the Court had entered the September 28 order, directing him to file all pleadings at the Sixth Circuit. The motion to clarify has remained pending before the Court.

Again, because Petitioner's case is on appeal in the Sixth Circuit Court of Appeals, this Court is without jurisdiction to act in Petitioner's case. Petitioner's Motion to Clarify (ECF No. 66) is therefore **DENIED**.

The Clerk of the Court is **DIRECTED to TRANSFER** all future pleadings on this matter to the Sixth Circuit Court of Appeals.

IT IS SO ORDERED.

s/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge

Dated: July 14, 2021